

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Abelardo SILVA et al.) Confirmation No: 3064
Application Serial No.: 10/550,715) Group Art Unit: 1654
Filed: August 16, 2006) Examiner: Roy R. Teller

For: **LONG ACTING BIOLOGICALLY ACTIVE CONJUGATES**

Commissioner for Patents
P.O. Box 1450, Mail Stop Amendment
Alexandria, VA 22313-1450

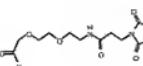
RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This is a response to the Restriction/Election of Species Requirement issued March 6, 2009, in the captioned application. A response is due July 6, 2009, by virtue of the attached petition for extension of time and payment of the requisite fees. In the event that extensions of time beyond those provided for in the accompanying papers are required to prevent abandonment of this application, Applicants hereby petition for any necessary extension of time.

Applicants hereby elect with traverse the Invention of Group I (claims 18-28 and 30, drawn to an isolated complex) for prosecution on the merits. Applicants respectfully submit that the restriction is improper because there is no undue burden on the Examiner to search the claimed inventions together.

Applicants further elect the following species with respect to Formula I: AV is -Trp-Met-Glu-Trp-Asp-Arg-Glu-Ile-Asn-Asn-Tyr-Thr-Ser-Leu-Ile-His-Ser-Leu-Ile-Glu-Glu-Ser-Gln-Asn-

Gln-Gln-Glu-Lys-Asn-Glu-Gln-Glu-Leu-Leu-NH₂, L1 is  , Pr is Human serum albumin and the variables m, and n are 1. Claims 18-28 and 30 are believed to read on the elected species.

The Commissioner is hereby authorized by this paper to charge any fees or credit any overpayment to Deposit Account 50-3840 during the entire pendency of this application. This authorization includes fees for extension of time necessary to maintain the pendency of the application and other fees under 37 C.F.R. §§ 1.16 and 1.17. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

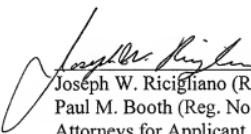
Conclusion

Applicants believe that this response is a complete reply to the restriction/election of species requirement issued on March 6, 2009. A first office action on the merits is awaited. It is respectfully submitted that the application is in condition for examination, and an early action on the merits is courteously requested. In the event the Examiner requires any further information, or would like to schedule an interview to advance prosecution in this application, the Examiner is encouraged to contact Applicants' undersigned representatives.

Respectfully submitted,

Date: June 19, 2009

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